

## **REMARKS**

### **Status of Claims**

Claims 18, 19, and 21-32 are currently pending in this application.

Claims 18 and 32 are amended to specify that the mobile station selects with the aid of a selection device "at least one ~~communication network~~ Public Mobile Network (PLMN) in which the useful data object is to be transmitted." Claims 21-24, 29, and 31 have been similarly amended. These amendments do not add new matter to the specification and are supported, for example, in paragraph [0015].

Claims 18 and 32 have further minor amendments, which do not have affect the scope of the claims and are made for the sake of claim style.

Claims 18, 19, 21-29, 31 and 32 are rejected under 35 U.S.C. §102(e) as being anticipated by Souissi, *et al.* (US Patent No. 7,392,039)

Claim 30 is rejected under 35 U.S.C. §103(a) as being unpatentable over Souissi in view of Molne (U.S. Patent No. 6,014,561).

## **REPLY TO THE PRIOR ART REJECTIONS**

### **Claims 18, 19, 21-29, 31 and 32**

Claims 18, 19, 21-29, 31 and 32 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Souissi. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Applicants believe independent claims 18 and 32 are novel over Souissi in their previous form, however, in an effort to move prosecution forward, claims 18 and 32 are amended to specify that the mobile station selects with the aid of a selection device "at least one ~~communication network~~ Public Mobile Network (PLMN) in which the useful data object is to be transmitted."

Thus currently amended claim 18 claims a method for transmitting a useful data object from a switching component to a mobile station, wherein the mobile station selects, with the aid of a selection device, at least one Public Mobile Network (PLMN) in which the useful data object is to be transmitted. The mobile station stores the selection of the at least one PLMN in a storage unit assigned to the mobile station. The useful data object is transmitted from the switching component to the mobile station when it is determined that the mobile station is registered in the at least one PLMN, and it is determined that the switching component has a delivery request for the useful data object.

One advantage of claim 18 is the user may be protected from paying extensive roaming fees for data usage when in a Visited PLMN by the user selecting his or her Home PLMN (and/or other PLMNs) to transmit useful data objects.

Souissi discloses a home network comprising, *inter alia*, a message control module that causes a database to store and update registration/location information of communication devices that identify the home network as their preferred network. *Souissi* at column 5, lines 1-13. The home network is disclosed as being a private LAN network with WLAN access. *Souissi* at column 3, line 64 – column 4, line 6.

Souissi further discloses that if the message control module determines that the communication device is connected to the home network, then the message is delivered to the communication device via the existing channels in the home network. If the message control module determines that the communication device is connected to another network, then the message is filtered by a message filter module. *Souissi* at column 5, lines 43-50.

The message filter module compares messages to an established set of parameters to determine if the message should be forwarded to the communication device when in the current registered network. For example, if the message contains a large attachment and has a low priority, the message may not be forwarded to the communication device when the communication device is connected to a low speed, low bandwidth LAN. *Souissi* at column 5, lines 50-60.

Although *Souissi* discloses a communication device that "identifies" a home network as its preferred network, the *Souissi* disclosure is completely silent as to how the communication device identifies a home network, much less a mobile station selecting, with the aid of a selection device assigned to the mobile station, at least one network of any kind.

In addition, claim 18, in its current form, requires a mobile station to select a PLMN, wherein useful data objects will be transmitted over the selected PLMN. It is clear from FIG. 2A of *Souissi* that the preferred home network is not a PLMN or anything like it, but rather a company or individual's single network with an 802.11(b) wireless connection ability. Moreover, when a communication device leaves this home network, the message filter module automatically filters messages. *Souissi* at column 5, lines 43-50. Thus messages will be filtered even though a communication device remains in the same PLMN (for example, when a user leaves his house).

Claim 18 also requires that in order for a useful data objects to be transmitted, a PLMN network must be selected and "it is determined that the switching component has a delivery request for the useful data object." In contrast, *Souissi* explicitly discloses that if a communication device is in the preferred home network, the message is simply delivered without the requirement of a delivery request. *Souissi* at column 5, lines 43-50. Thus, *Souissi* fails to disclose or suggest the method of claim 18.

From the Summary of Souissi, it is clear that Souissi is directed to solving a completely different problem for a specific network architecture:

A system and method for complete message delivery to a multi-mode communication device is presented. The communication device is adaptable to communicate with one or more carrier networks ("WANs") and one or more data networks ("LANs"). When a new message is received for the communication device, a message notification is sent to the device via a first network. The communication device parses the message notification and retrieves the complete message via a second network. Alternatively, the complete message may be retrieved via the first network.

The current location or current network connection status of the communication device is maintained at a network designated as the home network. When the communication device performs an intersystem handoff (i.e. switches from one network to another network), the device updates its location with the home network.

*Souissi* at column 1, lines 44-59.

Because Souissi fails to disclose or suggest all of the limitations recited in claim 18, the rejection under 35 U.S.C. § 102 should be withdrawn.

Because claims 19 and 21-31 ultimately depend on claim 18, the rejections of claims 19 and 21-31 should also be withdrawn.

Independent claim 32 also stands rejected under 35 U.S.C. § 102(b) as being anticipated by Souissi. Having argued that Souissi fails to disclose or suggest each and every element of claim 18, Applicants note that independent claim 32 includes limitations similar in nature to that found in claim 18. In particular, claim 32 includes the limitation of selecting, with the aid of a selection device assigned to the mobile station, at least one PLMN in which the useful data object is to be transmitted. Because Souissi fails to disclose or suggest each and every element of claim 18 for at least the same reasons discussed above with respect to claim 32, the rejection under 35 U.S.C. § 102 should be withdrawn.

In view of the foregoing, reconsideration and/or allowance of claims 18, 19, 21-29, 31

and 32 are solicited.

Claim 30

Claim 30 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Souissi in view of Molne. Claim 30 is dependent from claim 18. In rejecting claim 30, the Office Action relies on Souissi disclosing claim elements of independent claim 18 that are, as explained above, in fact not disclosed by Souissi. Because Souissi fails to disclose or suggest each and every element of independent claim 18, and Molne fails to cure this defect, the rejection of claim 30 under 35 U.S.C. § 103 should be withdrawn.

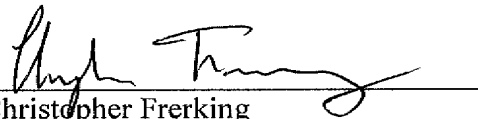
In view of the foregoing, reconsideration and/or allowance of claim 30 is solicited.

Conclusion

In view of the foregoing remarks, Applicants respectfully request reconsideration of this application and allowance of the pending claims.

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Respectfully Submitted,

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